

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ILLUMINA, INC. AND ILLUMINA
CAMBRIDGE, LTD.,

Plaintiffs,

v.

ELEMENT BIOSCIENCES, INC.

Defendant.

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C.A. No. 25-602-RGA

STIPULATION REGARDING AMENDED COMPLAINT

WHEREAS, the parties have conferred regarding Plaintiffs' request for leave to file a Second Amended Complaint;

WHEREAS, Plaintiffs provided Element with a proposed Second Amended Complaint (attached as Exhibit A) and a redline from the First Amended Complaint (attached as Exhibit B);

WHEREAS, Defendant Element Biosciences, Inc. ("Element") does not oppose Plaintiffs' request for leave to file a Second Amended Complaint, but reserves all rights to answer, move, or otherwise respond to the Second Amended Complaint; and

WHEREAS, the parties agree that Element may file its response to the Second Amended Complaint 45 days after docketing.

IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, and subject to the approval of the Court that Plaintiffs may file their Second Amended Complaint on the docket and that Element's deadline to answer, move, or otherwise respond to the Second Amended Complaint shall be 45 days after Plaintiffs file the Complaint on the docket.

/s/ Kelly E. Farnan

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Dated: August 28, 2025

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SO ORDERED this ___ day of _____, 2025

United States District Judge